

**AN ORDINANCE 101628**

**AUTHORIZING THE EXTENSION OF THE AGREEMENTS WITH KPMG, LLP, LEAL AND CARTER, P.C., AND ROBERT J. WILLIAMS, CPA, TO PROVIDE INDEPENDENT AUDIT SERVICES TO THE CITY FOR FISCAL YEAR 2005 AT A TOTAL FEE OF APPROXIMATELY \$543,895.00.**

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**WHEREAS**, Section 107 of the City of San Antonio City Charter requires that at the close of each fiscal year, an audit be performed on the City's financial records by an independent certified public accountant; and

**WHEREAS**, Chapter 103 of the Texas Local Government Code requires the City to have its records and accounts audited annually by an independent certified public accountant; and

**WHEREAS**, the Single Audit Act Amendments of 1996 and related OMB Circular A-133 and the State of Texas Single Audit Circular contain certain audit and financial reporting requirements; and

**WHEREAS**, Ordinance No. 96458, passed and approved September 26, 2002, authorized the execution of contracts and approved the firms of KPMG, LLP, Leal and Carter, P.C., and Robert J. Williams, CPA, to provide the City with independent audit services for Fiscal Years 2002, 2003, and 2004, with two, one-year options to renew and extend, at the City's sole discretion, subject to City Council approval; and

**WHEREAS**, after due deliberations on and consideration of the matter, the City Council desires to approve, effective October 1, 2005, the renewal and extension of contracts, with the firms of KPMG, LLP, Leal and Carter, P.C., and Robert J. Williams, CPA, to provide independent audit services to the City for Fiscal Year 2005, with the scope of services to be substantially the same as in the present contracts, and with the total fee not to exceed \$543,895; **NOW, THEREFORE;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The agreements with KPMG, LLP, Leal and Carter, P.C., and Robert J. Williams, CPA, are hereby authorized to be renewed and extended for a period to commence October 1, 2005 and to terminate upon completion of the audit of the City's records and accounts for Fiscal Year 2005, for a total amount not to exceed \$543,895.00. Said firms are to provide independent audit services to the City for Fiscal Year 2005, substantially according to the following distribution: KPMG, LLP 50%; Leal and Carter, P.C. 40%; and Robert J. Williams CPA 10%.

**SECTION 2.** The City Manager, or the City Manager's designee, is hereby authorized to execute a one year extension agreement with each of said firms in the form attached hereto and incorporated herein as Attachments I, II, and III, respectively. The terms and conditions of said extension agreements are hereby approved.

**SECTION 3.** Funds in the amount of \$543,895.00 are authorized to be encumbered in Fiscal Year 2006 in Fund 11-001000 (General Fund), in Cost Centers 8002060012 for \$500,000 and in Cost Center 7001990002 for \$43,895, Account Number 5201040 (Fees to Professional Contractors), and made payable as indicated below for audit services for fiscal year 2005:


KPMG, L.L.P.	Not to Exceed \$287,128.00
Leal and Carter, P.C.	Not to Exceed \$205,414.00
Robert J. Williams, CPA	Not to Exceed \$ 51,353.00

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

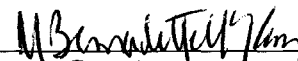
**SECTION 5.** This ordinance is effective immediately upon passage by eight (8) affirmative votes; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

**PASSED AND APPROVED** this 3<sup>rd</sup> day of November, 2005.

  
M A Y O R  
PHIL HARDBERGER

ATTEST:   
ASSISTANT City Clerk

APPROVED AS TO FORM:

  
City Attorney